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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 THE BANK OF NEW YORK MELLON,
F/K/A BANK OF NEW YORK TRUST
12 COMPANY, NATIONAL ASSOCIATION,
AS SUCCESSOR IN INTEREST TO
13 JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, AS TRUSTEE FOR THE
14 MLMI SURF TRUST SERIES 2005-BC4,

15 Plaintiff,

16 vs.

17 RIVERWALK HOMEOWNERS
ASSOCIATION; JERRY GUTZMER; DOE
18 INDIVIDUALS I-X, inclusive; and ROE
CORPORATIONS I-X, inclusive,
19

20 Defendants.

CASE NO.: 2:15-CV-01178-RFB-NJK

**STIPULATION AND ORDER TO EXTEND
BRIEFING SCHEDULE ON JERRY
GUTZMER'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

(Second Request)

21 IT IS HEREBY STIPULATED AND AGREED, by and between the parties, plaintiff The
22 Bank of New York Mellon, f/k/a Bank of New York Trust Company, National Association, as
23 Successor in Interest to JPMorgan Chase Bank, National Association, as Trustee for the MLMI Surf
24 Trust Series 2005-BC4 ("BNY Mellon") and defendant Jerry Gutzmer ("Gutzmer"), through their
25 undersigned counsels of record, that the deadline for Gutzmer to file his reply in support of the
26 motion to dismiss (Dkt. No. 11), filed on July 16, 2015, shall be extended to September 22, 2015.
27 The requested extension is necessary to allow Gutzmer sufficient time to review and appropriately
28 respond to BNY Mellon's opposition to the motion to dismiss (Dkt. No. 20) filed on September 3,

2015. This is the parties' second request for an extension and is not intended to cause delay or prejudice to any party.

DATED this 16th day of September, 2015.

DATED this 16th day of September, 2015.

MAIER GUTIERREZ AYON

AKERMAN LLP

/s/ Margaret E. Schmidt

/s/ Christine M. Parvan

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IT IS SO ORDERED.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT COURT JUDGE

DATED this 20th day of September, 2015.